

REMARKS

On August 22, 2005 counsel for Applicant contacted Tyrone Johnson, draftsman for referenced application, via telephone to discuss the Notice Regarding Drawings mailed by the U.S. Patent and Trademark Office ("USPTO") on August 6, 2005. Counsel for Applicant informed, the draftsman that Applicant had previously responded to a request from the U.S. Patent Office regarding Figure 17A. On March 21, 2005, Applicant filed its response to furnish a substitute drawing or Figure 17A.

Mr. Johnson indicated that the substitute drawing were not present in the USPTO's prosecution history for the Applicant and had possibly been misplaced. Mr. Johnson requested Applicant to resubmit the revisions to Figure 17A. Accordingly, Applicant is resubmitting Figure 17A to accommodate the draftsman's request. As part of the record, Applicant has attached a copy of the submission that was previously submitted on March 21, 2005.

As this response is being submitted within two months of August 6, 2005, Applicant's response is timely.

DRAWINGS

2. ☒ Enclosed is ONE (1) sheet of formal drawings.

PAYMENT OF FEES

3. ☐ Enclosed is a check in the amount of \$_____ (Surcharge fee) and a check for \$_____ (Drawings).
- ☒ Applicants believe no fees are due at this time. However, should any fees be required, the Commissioner is hereby authorized to charge any deficiency in fees, or credit any overpayment, to Account No. 24-2326 (11321-P012USD12). **A photocopy of this request is enclosed.**
- ☐ Charge Account No. _____ in the amount of \$_____. **A photocopy of this request is enclosed.**

PATENT

P.O. Box 50784
1201 Main Street
Dallas, Texas 75250-0784
(512) 370-2870

Respectfully submitted,

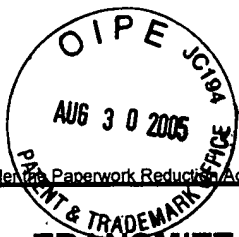
WINSTEAD SECHREST & MINICK P.C.

Attorney for Applicants

By: 

Ross Spencer Garsson
Reg. No. 38,150

Austin_1\289293\1
11321-P012USD12 8/25/2005



1754
BICW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/033,075
	Filing Date	December 28, 2001
	First Named Inventor	Richard E. Smalley et. al.
	Art Unit	1754
	Examiner Name	Stuart L. Hendrickson
Total Number of Pages in This Submission	Attorney Docket Number	11321-P012USD12

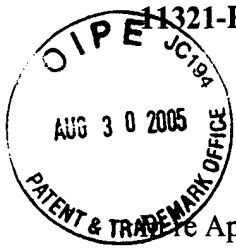
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	(1) Applicant's Response to PTO Notice Regarding Drawing (2) Copy of Notice Regarding Drawings, (3) Figure 17A
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	(4) Return Postcard.
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Winstead Sechrest & Minick P.C.		
Signature			
Printed name	Ross Spencer Garsson		
Date	August 26, 2005	Reg. No.	38,150

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Beatrice Zepeda	Date	August 26, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



11321-P012USD12

PATENT

-1-

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Richard Smalley, et. al.

Serial No.: 10/033,075

Filed: December 28, 2001

Art Unit: 1754

Examiner: Stuart Hendrickson

Date of Allowance: November 16, 2004

For: METHOD FOR PRODUCING A CATALYST SUPPORT AND
COMPOSITIONS THEREOF

**APPLICANTS' RESPONSE TO
PTO'S NOTICE REGARDING DRAWINGS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Draftsman: Tyrone Johnson
Office of Patent Publication,
Publishing Division

Sir:

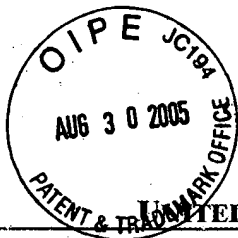
1. ☒ This replies to the Notice Regarding Drawings mailed
August 6, 2005.
- ☒ A copy of the Notice Regarding Drawings is attached.

CERTIFICATION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence (along with any item referred to as being enclosed herewith) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Issue Fee, Drawings, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 26, 2005.

Beatrice Zepeda
Signature

Beatrice Zepeda
(Printed name of person certifying)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER 10/033075	FILING/RECEIPT DATE 12/28/2001	FIRST NAMES APPLICANT SMALLEY, RICHARD E.	ATTORNEY DOCKET NUMBER 11321-P012USD12
--	--	--	--

Ross Spencer Garsson
Suite 800
100 Congress Avenue
Austin TX 78701

RECEIVED ON

AUG 12 2005

BY WINSTEAD

Examiner **HENDRICKSON, STUART**

Art Unit **1754** Paper Number

DOCKETED

Date Mailed: 08/06/2005

Notice Regarding Drawings

Corrected drawings for the above-identified application, received in the USPTO on 12/28/2001, are still not acceptable for the reason(s) identified on the attached PTO-948. Applicant is given one opportunity to correct the informalities within a two-month time period from the mailing date of this Notice. **THIS TIME PERIOD IS NOT EXTENDABLE UNDER EITHER 37 CFR 1.136(a) OR 1.136(b). Failure to take corrective action within the set period will result in abandonment of the application.**

ATTACHMENT: PTO-948 Notice of Draftsperson's Patent Review

RETURN CORRECTED DRAWINGS TO:

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Tyrone Johnson
Office of Patent Publication,
Publishing Division
703-305-0333 #130

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 12/28/01 are:
_____ approved by the Draftsperson under 37 CFR 1.84 or 1.152.
_____ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).

_____ Color drawings are not acceptable until petition is granted. Fig(s) _____

_____ Pencil and non black ink not permitted. Fig(s) _____

2. PHOTOGRAPHS. 37 CFR 1.84(b)

_____ One (1) full-tone set is required. Fig(s) _____

_____ Photographs may not be mounted. 37 CFR 1.84(e)

_____ Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) _____

_____ Poor quality (half-tone). Fig(s) _____

3. TYPE OF PAPER. 37 CFR 1.84(e)

_____ Paper not flexible, strong, white, and durable.

Fig(s) _____

_____ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted.

Fig(s) _____

4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:

21.0 cm by 29.7 cm (DIN size A4) or

21.6 cm by 27.9 cm (8 1/2 x 11 inches)

_____ All drawing sheets not the same size.

Sheet(s) _____

_____ Drawings sheets not an acceptable size. Fig(s) _____

5. MARGINS. 37 CFR 1.84(g): Acceptable margins:

Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm

_____ Margins not acceptable. Fig(s) _____

_____ Top (T) _____ Left (L)

_____ Right (R) _____ Bottom (B)

6. VIEWS. 37 CFR 1.84(h)

REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.

_____ Views not labeled separately or properly.

Fig(s) _____

7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)

_____ Sectional designation should be noted with

Arabic or Roman numbers. Fig(s) _____

8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)

_____ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____

9. SCALE. 37 CFR 1.84(k)

_____ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction.

Fig(s) _____

10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)

_____ Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) _____

11. SHADING. 37 CFR 1.84(m)

_____ Solid black areas pale. Fig(s) _____

_____ Solid black shading not permitted. Fig(s) _____

12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)

_____ Numbers and reference characters not plain and legible. Fig(s) 17A

_____ Figure legends are poor. Fig(s) 17A

_____ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) _____

_____ English alphabet not used. 37 CFR 1.84(p)(2)

Fig(s) _____

_____ Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) _____

13. LEAD LINES. 37 CFR 1.84(q)

_____ Lead lines missing. Fig(s) _____

14. NUMBERING OF SHEETS OF DRAWINGS.

37 CFR 1.84(t)

_____ Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) _____

15. NUMBERING OF VIEWS. 37 CFR 1.84(u)

_____ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____

16. DESIGN DRAWINGS. 37 CFR 1.152

_____ Surface shading shown not appropriate.

Fig(s) _____

_____ Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) _____

COMMENTS:

Reviewer 78

If you have questions, call (703) 305-8404.

Date 8/6/05

Attachment to Paper No. _____

MAR 29 2005

DOCKETED

DOCKET NO: 11321-P012USD12 CLIENT (Ref.): 10099 ATTY/PRLG RS6/1sb

Inv/Applicant: Smalley et al. TITLE: M. for Producing A Catalyst...

App'l/Grant No: 101033,075

PTO RECEIPT DATE STAMP:

<input type="checkbox"/> New Patent Application:	<input type="checkbox"/> Transmittal Letter
<input type="checkbox"/> App'l Data Sheet	<input type="checkbox"/> Fee Transmittal
<input type="checkbox"/> Provisional	<input type="checkbox"/> Check(s) - \$
<input type="checkbox"/> Prov Cvr Sheet	<input type="checkbox"/> Issue Fee <input type="checkbox"/> Check - \$
<input type="checkbox"/> Utility	<input type="checkbox"/> Maintenance Fee Transmittal
<input type="checkbox"/> CONT	<input type="checkbox"/> Check - \$
<input type="checkbox"/> CIP / DIV	<input type="checkbox"/> PCT Request
<input type="checkbox"/> CPA / RCE	<input type="checkbox"/> PCT Chapter II Demand
<input type="checkbox"/> Plant	<input type="checkbox"/> PCT Fee Calculation Sheet
<input type="checkbox"/> Design	<input type="checkbox"/> APPEAL <input type="checkbox"/> APPEAL BRIEF <input type="checkbox"/> REPLY BRIEF
<input type="checkbox"/> PCT	<input type="checkbox"/> Petition-Extension of Time - Months <input type="checkbox"/> Check - \$
<input checked="" type="checkbox"/> Drawing(s) <u>1</u> Sheets	<input type="checkbox"/> PETITION:
<input type="checkbox"/> Gene Sequence	<input type="checkbox"/> FORM
<input type="checkbox"/> Computer Readable	<input type="checkbox"/> FORM
<input type="checkbox"/> Paper Copy	<input type="checkbox"/> Response to FORM
<input type="checkbox"/> Declaration	<input checked="" type="checkbox"/> Response/Amendment <u>Furnish Sub. Drwg.</u>
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> Resp. to Notice: Non-Compliant App'l / Missing Parts / Inv. To Correct Defects
<input type="checkbox"/> PCT - Original / Copy	<input type="checkbox"/> Request for Correction:
<input type="checkbox"/> Non-Publication Request	<input type="checkbox"/> OTHER:
<input type="checkbox"/> IDS, PTO/SB/08A-B, # Ref:	
<input type="checkbox"/> Assignment - \$	DUE: _____
<input type="checkbox"/> Assignment Cvr Sheet	MAILED: <u>3/21/05</u>
<input type="checkbox"/> Mailed Via: EXPRESS MAIL No: _____	OR <input checked="" type="checkbox"/> Fed Ex <u>3/21/05</u>

3/22/05

STUART L. HENDRICKSON
PRIMARY EXAMINER